

To: Jane McNaboe[jmcnaboe@envirotechteam.com]
Cc: Joe Selgrath[selgrath@envirotechteam.com]; Bob Lorton (Bob.Lorton@ALONUSA.com)[Bob.Lorton@ALONUSA.com]; Albright, David[Albright.David@epa.gov]; Gross, Warren@Waterboards[Warren.Gross@waterboards.ca.gov]
From: Dermer, Michele
Sent: Tue 5/26/2015 2:57:43 PM
Subject: RE: Tulare Lake Basin Plan, Fruitvale Oil Field Beneficial Use Exceptions

It is not uncomplicated.

Warren Gross of the Regional Board replied to me on Friday when I was out of the office. He is not free today nor June 10-11. I think Bob was going to try to herd us together for another call/meeting, so those are Warren's constraints.

From: Jane McNaboe [mailto:jmcnaboe@envirotechteam.com]
Sent: Tuesday, May 26, 2015 7:47 AM
To: Dermer, Michele
Cc: Joe Selgrath; Bob Lorton (Bob.Lorton@ALONUSA.com)
Subject: RE: Tulare Lake Basin Plan, Fruitvale Oil Field Beneficial Use Exceptions

Michele,

Thank you for the clarification.

M. Jane Ellis-McNaboe, PG

EnviroTech Consultants, Inc.

5400 Rosedale Highway,

Bakersfield, CA 93308

(661) 377-0073 X 11 office

(661) 246-9854 mobile

(661) 377-0074 fax

From: Dermer, Michele [<mailto:Dermer.Michele@epa.gov>]
Sent: Tuesday, May 26, 2015 7:34 AM
To: Jane McNaboe
Cc: Bob Lorton (Bob.Lorton@ALONUSA.com); Joe Selgrath; Albright, David; Gross, Warren@Waterboards
Subject: RE: Tulare Lake Basin Plan, Fruitvale Oil Field Beneficial Use Exceptions

Hi Jane,

Yes, I am aware of this statement. The State of CA (State) has its own regulations, etc. Only EPA can exempt an aquifer from the protections of the Safe Drinking Water Act. What this translates to is that the State would likely not object to a proposed aquifer exemption, however the State cannot grant one. And the primacy agreement between EPA and DOGGR is governed by the MOA which is tied to the 1974 productive limits.

Thanks, Michele

From: Jane McNaboe [<mailto:jmcnaboe@envirotechteam.com>]
Sent: Friday, May 22, 2015 2:03 PM
To: Dermer, Michele
Cc: Bob Lorton (Bob.Lorton@ALONUSA.com); Joe Selgrath
Subject: Tulare Lake Basin Plan, Fruitvale Oil Field Beneficial Use Exceptions

Michele,

We wanted to make sure that you are aware that the following statement regarding Beneficial Use Exceptions in the Fruitvale Oil Field is included in the 2004 Tulare Lake Basin Plan. It doesn't limit the exemption to only the productive area of the Santa Margarita, it states that the

boundary of the beneficial use exception extends for one-quarter mile outside the administrative boundary of the Fruitvale Oil Field.

The Tulare Lake Basin plan can be found here:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/tlbp.pdf

The statement copied below is on page 16 of the PDF titled, "tlb rev Jan 2004".

**TABLE II-2
TULARE LAKE BASIN
GROUND WATER BENEFICIAL USES (continued)
Beneficial Use Exceptions**

- ^a Ground water contained in the lower Transition Zone and Santa Margarita formation within 3,000 feet of the and Refining Company proposed injection wells in Section 25, T30S, R28E, MDB&M, is not suitable, or potentially suitable, for municipal or domestic supply (MUN).

Ground water contained in the basal Etchegoin formation, Chanac formation, and Santa Margarita formation extending to one-quarter mile outside the administrative boundary of the Fruitvale Oil Field, as defined by the California, Department of Conservation, Division of Oil and Gas in *Application for Primacy in the Regulation of Injection Wells Under Section 1425 of the Safe Drinking Water Act*, dated April 1981, is not suitable, or potentially suitable, for municipal or domestic supply (MUN). However, the upper ground water zone (ground water to 3,000 feet) retains the MUN beneficial use.

Regards,

M. Jane Ellis-McNaboe, PG

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Bakersfield, CA 93308

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